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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,270	10/17/2001	Anders Vinberg	063170.7002	7992

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EXAMINER
YANG, RYAN R

ART UNIT	PAPER NUMBER
2672	

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)	
Office Action Summary	09/982,270	VINBERG, ANDERS	
	Examiner	Art Unit	
	Ryan R. Yang	2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 June 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: Amendment, filed on 6/30/2005.

This action is final.

2.   Claims 1-17 are pending in this application. Claims 1, 8 and 12-17 are

independent claims.

3.   This application is a Continuation-in-part of application No. 09/949,101.

       This application claims Provisional application No. 60/241,049 filed 10/17/2000,

and Provisional application No. 60/241,051 filed 10/17/2000.

4.   The present title of the invention is "Method and apparatus for displaying 3-D

state indicators".

Claim Rejections - 35 USC § 102

5.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

6.   Claims 1-2, 4-5, 12, 14 and 16 are rejected under 35 U.S.C. 102(e) as being

anticipated by Johnston et al. (6,404,444).

       As per claim 1, Johnston et al., hereinafter Johnston, discloses a method for

presenting a status of an object in a three dimensional graphic display, comprising:

       determining a value of a property associated with an object ("The present

invention provides a mechanism to display the total sum of the resource in the system",

column 4, line 28-30, where the resource is a property of the object- data processing

system 200);

determining a status indicator associated with the property (Figure 3 is a graph

indicating the status of a resource);

generating a status indicator representing the property associated with the object

(Figure 3 is a stack of cylindrical graph indicating the status of a resource property);

and

displaying the status indicator relative to the object (Figure 3 where the cylinder

represent the amount of resource and 312 represents the unallocated resource).

7.   As per claim 2, Johnston demonstrated all the elements as applied to the

rejection of independent claim 1, supra, and further discloses the status indicator has a

translucent quality ("cylinder 312, is shown as an open or transparent cylinder", column

5, line 17-18).

8.   As per claim 4, Johnston demonstrated all the elements as applied to the

rejection of independent claim 1, supra, and further discloses the status indicator is

depicted as a bar (Figure 7, where each attribute is represented by a bar).

9.   As per claim 5, Johnston demonstrated all the elements as applied to the

rejection of claim 4, supra, and further discloses at least one dimension of the bar

represents the value of the property (Figure 6A, "hot spot 610 is a vertical line dividing

consumed and unconsumed portions of box 604", column 7, line 42-44).

10.   As per claim 12, Johnston discloses an apparatus for presenting a status of an

object in a three dimensional graphic display, comprising:

a processor (Figure 1- 202);

a memory connected to said processor storing a program to control the operation

of said processor (Figure 1- 204);

the processor operative with the program in the memory to:

determine a value of a property associated with an object ("The present invention

provides a mechanism to display the total sum of the resource in the system", column

4, line 28-30, where the resource is a property of the object- data processing system

200);

determine a status indicator associated with the property (Figure 3 is a graph

indicating the status of a resource);

generate a status indicator representing the property associated with the object

(Figure 3 is a stack of cylindrical graph indicating the status of a resource property);

and

display the status indicator relative to the object (Figure 3 where the cylinder

represent the amount of resource and 312 represents the unallocated resource).

11.   As per claim 14, Johnston discloses an apparatus for presenting a status of an

object in a three dimensional graphic display, comprising:

means for determining a value of a property associated with an object ("The

present invention provides a mechanism to display the total sum of the resource in the

system", column 4, line 28-30, where the resource is a property of the object- data

processing system 200);

means for determining a status indicator associated with the property (Figure 3 is

a graph indicating the status of a resource);

means for generating a status indicator representing the property associated with

the object (Figure 3 is a stack of cylindrical graph indicating the status of a resource

property);

and means for displaying the status indicator relative to the object (Figure 3

where the cylinder represent the amount of resource and 312 represents the

unallocated resource).

12.   As per claim 16, Johnston discloses a computer-readable storage medium

encoded with processing instructions for implementing a method for presenting a

status of an object in a three dimensional graphic display, the processing instructions

for directing a computer to perform the steps of:

determining a value of a property associated with an object ("The present

invention provides a mechanism to display the total sum of the resource in the system",

column 4, line 28-30, where the resource is a property of the object- data processing

system 200);

determining a status indicator associated with the property (Figure 3 is a graph

indicating the status of a resource);

generating a status indicator representing the property associated with the object

(Figure 3 is a stack of cylindrical graph indicating the status of a resource property);

and

displaying the status indicator relative to the object (Figure 3 where the cylinder

represent the amount of resource and 312 represents the unallocated resource).

13.   Claims 1, 6-11, 13, 15 and 17 are rejected under 35 U.S.C. 102(e) as being

anticipated by Jamieson et al. (US 6,577,323).

As per claim 1, Jamieson et al., hereinafter Jamieson, discloses a method for

presenting a status of an object in a three dimensional graphic display, comprising:

determining a value of a property associated with an object ("The trend display

152 is a graphical display for the results of a signal trend analysis algorithm of the data

analysis module 72 performed on data from the controller 14 ... The algorithm is

capable of visually coding other types of information (e.g., deviation from predicted

values, **selection of a variable**, and unanticipated state change) and supports

navigation for the graphical user interface 50", column 14, line 16-25);

determining a status indicator associated with the property (Figure 5A, where

each component 161-164 is a property of the plant);

generating a status indicator representing the property associated with the object

(Figure 5A, the Trend shape element 176 displays the status of selected property); and

displaying the status indicator relative to the object (Figure 5A, where the status

indicator is relative to the object).

14.   As per claim 6, Jamieson demonstrated all the elements as applied to the

rejection of independent claim 1, supra, and further discloses the status indicator is

depicted as a quantitative indicator (The display 176 in Figure 5A is inherently a

quantitative indicator).

15.   As per claim 7, Jamieson demonstrated all the elements as applied to the

rejection of independent claim 1, supra, and further discloses the quantitative indicator

is a gauge (Figure 7A, 280 is a gauge).

16.   As per claim 8, Jamieson discloses a method for presenting a user selected

status of an object in a three dimensional graphic display, comprising:

.   receiving a request to select a property of an object for display ("The algorithm is

capable of visually coding other types of information (e.g., deviation from predicted

values, **selection of a variable**, and unanticipated state change) and supports

navigation for the graphical user interface 50", column 14, line 22-25);

displaying at least one property which may be displayed for the object;

receiving a selection of a property (Figure 5A, where each component 161-164 is a

property of the plant);

determining the value of the selected property for the object (Figure 5A, the

Trend shape element 176 displays the value of selected element);

generating a status indicator based on the value of the selected property (Figure

5A, the Trend shape element 176 displays the status of selected property); and

displaying the status indicator relative to the object (Figure 5A, where the status

indicator is relative to the object).

17.   As per claim 9, Jamieson demonstrated all the elements as applied to the

rejection of claim 8, supra, and further discloses the step of generating includes

automatically determining the form of the status indicator ("The scale 282 of the

process variable gauge 280 automatically adjusts to ensure that the data of the gauge

is displayed in a meaningful context", column 20, line 41-43).

18.   As per claim 10, Jamieson demonstrated all the elements as applied to the

rejection of claim 8, supra, and further discloses receiving a selection from the user

determining the form of the status indicator ("If there is more than one controller

available, a pull-down menu button may be used to allow the user to select from a list

of other names. Below these items are controller modes 153 and status indication 155.

For example, the status indications may include indications such as optimizing,

handling constraints, etc. The user can select, such as with use of a pull-down menu, a

controller mode 153 such as on, off, warm, etc. The mode may change as a function of

the controller condition", column 13, line 29-47

19.   As per claim 11, Jamieson demonstrated all the elements as applied to the

rejection of claim 8, supra, and further discloses the form of the status indicator is a bar

graph (Figure 7A is a bar graph).

20.   As per claim 13, Jamieson discloses an apparatus for presenting a user selected

status of an object in a three dimensional graphic display, comprising:

        a processor (Figure 1, the Computer Processing Unit 52);

        a memory connected to said processor storing a program to control the operation

of said processor (Figure 1, Memory 54);

        the processor operative with the program in the memory to:

        receive a request to select a property of an object for display ("The trend display

152 is a graphical display for the results of a signal trend analysis algorithm of the data

analysis module 72 performed on data from the controller 14 ... The algorithm is

capable of visually coding other types of information (e.g., deviation from predicted

values, **selection of a variable**, and unanticipated state change) and supports

navigation for the graphical user interface 50", column 14, line 16-25);

 display at least one property which may be displayed for the object (Figure 5A,

where each component 161-164 is a property of the plant);

 receive a selection of a property (The algorithm is capable of visually coding

other types of information (e.g., deviation from predicted values, **selection of a**

variable, and unanticipated state change) and supports navigation for the graphical

user interface 50", column 14, line 22-25);

 determine the value of the selected property for the object (Figure 5A, the Trend

shape element 176 displays the value of selected element);

 generate a status indicator based on the value of the selected property (Figure

5A, the Trend shape element 176 displays the status of selected property); and

 display the status indicator relative to the object (Figure 5A, where the status

indicator is relative to the object).

21. As per claim 15, Jamieson discloses an apparatus for presenting a user selected

status of an object in a three dimensional graphic display, comprising:

 means for receiving a request to select a property of an object for display (The

algorithm is capable of visually coding other types of information (e.g., deviation from

predicted values, **selection of a variable**, and unanticipated state change) and

supports navigation for the graphical user interface 50", column 14, line 22-25);

means for displaying at least one property which may be displayed for the object (Figure 5A, where each component 161-164 is a property of the plant);

means for receiving a selection of a property (The algorithm is capable of visually coding other types of information (e.g., deviation from predicted values, **selection of a variable**, and unanticipated state change) and supports navigation for the graphical user interface 50", column 14, line 22-25);

means for determining the value of the selected property for the object (Figure 5A, the Trend shape element 176 displays the value of selected element);

means for generating a status indicator based on the value of the selected property (Figure 5A, the Trend shape element 176 displays the status of selected property); and

means for displaying the status indicator relative to the object (Figure 5A, where the status indicator is relative to the object).

22.   As per claim 17, Jamieson discloses a computer-readable storage medium encoded with processing instructions for implementing a method for presenting a user selected status of an object in a three dimensional graphic display, the processing instructions for directing a computer to perform the steps of:

receiving a request to select a property of an object for display (The algorithm is capable of visually coding other types of information (e.g., deviation from predicted values, **selection of a variable**, and unanticipated state change) and supports navigation for the graphical user interface 50", column 14, line 22-25);

displaying at least one property which may be displayed for the object (Figure

5A, where each component 161-164 is a property of the plant);

receiving a selection of a property (The algorithm is capable of visually coding

other types of information (e.g., deviation from predicted values, **selection of a**

variable, and unanticipated state change) and supports navigation for the graphical

user interface 50", column 14, line 22-25);

determining the value of the selected property for the object (Figure 5A, the

Trend shape element 176 displays the value of selected element);

generating a status indicator based on the value of the selected property (Figure

5A, the Trend shape element 176 displays the status of selected property); and

displaying the status indicator relative to the object (Figure 5A, where the status

indicator is relative to the object).

Claim Rejections - 35 USC § 103

23.   Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnston

et al. as applied to claim 1 above, and further in view of Griffiths et al. (4,937,037).

As per claim 3, Johnston demonstrated all the elements as applied to the

rejection of independent claim 1, supra.

Johnston discloses a method of presenting a status of an object. It is noted that

Johnston does not explicitly disclose the status indicator has a reflective quality,

however, this is known in the art as taught by Griffiths et al., hereinafter Griffiths.

Griffiths discloses a method of presenting data in which "in a reflective cell the sttes

represent reflective and non-reflective areas such that incident light falling on the

screen is selectively reflected to provide a pattern of light and dark areas which can be

visually distinguished by an observed" (column 3, line 36-40).

Thus, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to incorporate the teaching of Griffiths into Johnston because

Johnston discloses a method of presenting a status of an object and Griffths discloses

the displayed object can be reflective in order for it to be easily distinguished by an

observer.

Response to Arguments

24.   Applicant's arguments filed 6/30/2005 have been fully considered but they are

not persuasive.

As per claim 1, applicant alleges the cylinders of Johnston et al. are

representations of appointments of a single resource, therefore, Johnston et al. does

not disclose claimed limitations. In reply, the Examiner considers the data processing

system disclosed in Johnston et al. is an object and the resources are the properties

associated with the data property system, the cylinders are three dimensional geometric

representation of resource allocation; therefore, Johnston et al. meet the claimed

limitations.

As for Jamieson et al. (6,577,323), applicant alleges the plant component icons

161-164 are not properties of the plant. In reply, the Examiner considers the process

variables are the properties of the plant process, the process is considered as an object

to be observed; therefore, Jamieson et al. meet the claimed limitations.

As per claim 8, applicant alleges Jamieson et al. does not disclose displaying the value of the selected element or displaying the status of the selected properties. In reply, Examiner considers the displayed component icons represent selected elements or properties.

Conclusion

25.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

26.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiries

27.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan R Yang whose telephone number is (571) 272-7666. The examiner can normally be reached on M-F 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Michael Razavi can be reached on (571) 272-7664. The fax phone number

for the organization where this application or proceeding is assigned is (571) 273-8300.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Yang
September 7, 2005